

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Frank David Miller**
Docket No. **267331**
L. Ct. No. **02-006650-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal and the motion for remand are DISMISSED for lack of jurisdiction as the October 20, 2005 order denying appellant's motion for relief from judgment under MCR 6.500 *et seq.* stems from a successive motion requesting this type of relief since 1995 where no newly discovered evidence or retroactive change in the law can be found. MCR 6.502(G).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 06 2006
Date

Sandra Schultz Mengel
Chief Clerk